

Robert Greene Sterne Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee John M. Covert Robert C. Millonig Donald J. Featherstone Timothy J. Shea, Jr Michael W. Messinger Judith U. Kim Jeffrey T. Helvey Eldora L. Ellison Donald R. Banowit Peter A. Jackman Brian J. Del Buono Mark Fox Evens Vincent L. Capuano Elizabeth J. Haanes Michael D. Specht Kevin W. McCabe Glenn J. Perry Theodore A. Wood Edward W. Yee Grant E. Reed Jason D. Eisenberg Tiracy L. Muller Jon E. Wright LuAnne M. DeSantis Helene C. Carlson Cynthia M. Bouchez Timothy A. Doyle Gaby L. Longsworth Lori A. Gordon Laura A. Vogel Shannon A. Carroll Anbar F. Khal Michelle K. Holoubek Marsha A. Rose Scott A. Schaller Lei Zhou W. Blake Coblentz James J. Pohl John T. Haran Mark W. Rygiel Michael R. Malek\* Carla Ji-Eun Kim Doyle A. Siever\* Ulrike Winkler Jenks Paul A. Calvo C. Matthew Rozier\* Randall K. Baldwin Daniel J. Nevrivy
Lori M. Brandes
Jeffrey K. Mills+
Mita Mukherjee\*
Scott M. Woodhouse+
Christian A. Camarce\*
Richard D. Coller III+
Keisha Hylton-Rodic
Bonnie Nannenga-Combs
Alyssa K. Sandrowitz+
Jonathan M. Strang\*
Ishan P. Weerakoon\*

Registered Patent Agents • Karen R. Markowicz Matthew J. Dowd Peter A. Socarras Danielle L. Letting Steven C. Oppenheimer Aaron S. Lukas Gaurav Asthana Stephanie L. Elmer Robert E. Bakin Salvador M. Bezos Yasser Mourtada

Of Counsel Edward J. Kessler Kenneth C. Bass III Marvin C. Guthrie Christopher P. Wrist David C. Isaacson

\*Admitted only in Maryland \*Admitted only in Virginia •Practice Limited to Federal Agencies

July 22, 2008

WRITER'S DIRECT NUMBER: (202) 772-8645 INTERNET ADDRESS: JASONE@SKGF.COM

Art Unit 2886

Confirmation No.: 2451

Attn: Mail Stop Patent Appeals

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application No. 10/713,212; Filed: November 17, 2003

For: Optical Position Measuring System and Method Using a Low

Coherence Light Source

Inventor: J. Christian SWINDAL

Our Ref: 1857.2020000

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Notice of Appeal;
- 2. Pre-Appeal Brief Request for Review Form PTO/SB/33;
- 3. Arguments to Accompany the Pre-Appeal Brief Request for Review; and
- 4. Online Credit Card Payment Authorization in the amount of \$510.00 to cover:

\$510.00 Payment for Notice of Appeal.

The above-listed documents are filed electronically through EFS-Web.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

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Fee payment is provided through online credit card payment. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jason D. Eisenberg

Attorney for Applicant Registration No. 43,447

JDE/SHS/jdp Enclosure(s) 851023.v1